IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.75 OF 2004

Mrs.Jyoti Anand Shinde .. Applicant

Versus

Anand Baburao shinde .. Respondent

Mr.Rajesh Datar for applicant

Ms.V.R.Raje for respondent

CORAM : P.V.KAKADE,J.

DATE : 27th OCTOBER, 2004

P.C.:

1. Heard both the learned counsel.

2. This is an application filed by applicant-wife seeking transfer of HMP No.50 of 2004 from the Court of Civil Judge, Senior Division, Dhule to the Court of Civil Judge, Senior Division, Kalyan, Dist. Thane where the applicant resides with her parents after the dispute

between the parties. She had stated that she having two years old child and it becomes physically impossible for her to go to Dhule from Kalyan on every date in order to attend the proceedings which is pending for divorce filed by the respondent.

3. Having considered the contents of the application and taking into account the hazards travelling between Dhule and Kalyan on every date fixed by the court, I am inclined to allow the application in the interest of justice.

4. At the time of hearing of the application suggestion was also given to settle the entire dispute between the parties for which purpose both the parties have stated that they will hold meeting.

5. In view of this position the application is made absolute in terms of prayer clause (a).

6. The H.M.P. No.50 of 2004 stands transferred from the Court of Civil Judge, Senior Division, Dhule to the Court of Civil Judge, Senior Division, Kalyan, Dist. Thane . The Civil Judge, Senior Division, Kalyan, Dist.

Thane is directed to expedite the hearing of the matter after giving opportunity to both the parties to lead evidence, if any, and adjudicate the dispute within six months from the date of this order. The record and proceedings be transmitted to the Court of Civil Judge, Senior Division, Kalyan, Dist. Thane by the Court of Civil Judge, Senior Division, Dhule immediately. With this direction the application stands disposed of with no order as to costs.